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Subject: Region 6 Weekly Update July 6
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R6 Weekly Update July 6, 2021

Hot Topics

Denka Performance Elastomer, LaPlace, Louisiana

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Mossville, Louisiana

Region 6 met with the Concerned Citizens of Mossville (CCOM) to hear about their concerns regarding a buyout and/or relocation program for the remaining Mossville residents. CCOM shared a number of ideas of how a buyout may be facilitated, including buyouts provided by the industry in the Westlake area; using federal grants differently; and pursuing placement on the NPL. Additionally, CCOM indicated that they are open to hearing about HUD possibilities, but would need EPA support through whatever process that would be involved. Region 6 noted that EPA's authorities are extremely limited in terms of buyouts and will continue to research possibilities.

Allied Bioscience, Plano, Texas

Region 6 expects to issue a Stop Sale, Use and Removal Order to Allied Bioscience, Inc. (ABS) for its SurfaceWise 2 product in conjunction with Office of Pesticide Programs revoking its Section 18 exemptions (affecting facilities in Texas, Arkansas, and Oklahoma). The product is manufactured by ABS, located in Plano, Texas. Region 6 and other EPA offices have received complaints that ABS is making claims about SurfaceWise 2 that potentially constitute misbranding in violation of Section 12(a)(1)(E) of FIFRA, and is distributing the product outside of the conditions and restrictions of the exemptions in violation of Section 12(a)(1)(A) of FIFRA.

NEOLAMP, Davis, Oklahoma

Region 6 has exhausted all potential options for finding a company to accept the abandoned radioactive (krypton-85) cylinders for reuse or disposal from the NEOLAMP site. The only option remaining is to vent the radioactive gas to the atmosphere. Region 6 received formal concurrence for venting from Oklahoma Department of Environmental Quality. The City of Davis has given verbal concurrence; however, written concurrence is still pending from the Mayor. The City also provided approval to conduct the venting at a remote abandoned airstrip north of Davis. Region 6 also

contacted the Chickasaw Nation's Environmental Program on June 23, and the Tribe raised no objections to the venting option. Region 6's contractor performed risk modeling, which showed risk to the public from the venting is well within the acceptable risk range used by EPA. Additional modeling is being conducted as backup.

PFAS, New Mexico

On June 23, the Governor of New Mexico submitted a petition requesting the listing of per and polyfluorinated substances (PFAS) as a class of chemicals within Subpart C of the Resource Conservation and Recovery Act (RCRA), or in the alternative, to list individual PFAS chemicals under RCRA. The petition was submitted pursuant to 42 U.S.C. § 6921(c), which requires the Administrator to act on the petition within 90 days.

Donna Canal Superfund Site, Donna, Texas

On July 6 and 12, in coordination with the U.S. Fish and Wildlife Service, fish will be removed from the lower canals and reservoir and sediment samples will be collected for the annual data assessment. In addition, new "No Fishing" warning signs, with text in English and Spanish, will be erected along the critical areas on the lower canal/reservoir. Region 6 has contacted the Donna Irrigation District and is working to identify outreach opportunities in advance of mobilizing to the site.

National Energy Advisory Team

On July 6, Region 6 is hosting the National Energy Advisory Team biweekly meeting. The meeting topics include discussion on the Interstate Oil and Gas Compact Commission (IOGCC) and EPA Taskforce upcoming meeting, as well as a report on regional oil and gas development.

Major Decisions and Events

Visibility Transport SIP, Oklahoma

By July 15, Region 6 intends to sign a Federal Register notice proposing approval of the interstate visibility transport portion of the Oklahoma infrastructure SIP for the 2015 ozone NAAQS and disapproval of the interstate visibility transport portions for the 2010 SO₂ and 2012 PM_{2.5} NAAQS. Concurrently, Region 6 will send letters to Tribes in Oklahoma offering to engage in consultation on this proposed rule.

VOC Emissions in Nonattainment Areas and Former Nonattainment Areas, Oklahoma

By July 15, Region 6 expects to propose approval of the Volatile Organic Compound Emissions in Nonattainment Areas and Former Nonattainment Areas. This proposes to update the ozone season for nonattainment and former nonattainment areas for Oklahoma. The new ozone season reflects changes made with the promulgation of the 2015 ozone NAAQS. Concurrently, Region 6 will send letters to Tribes in Oklahoma offering to engage in consultation on this proposed rule.

Regional Haze Progress Report SIP, Louisiana

By July 15, Region 6 expects to propose approval of the Louisiana Regional Haze Progress Report SIP. The SIP was submitted by the Louisiana Department of Environmental Quality on March 25 to address the requirement for a periodic report describing progress toward regional haze reasonable

progress goals and included a determination of adequacy of the State's Regional Haze SIP for the first implementation period.

NESHAP Parts 61 and 63 Delegation, Oklahoma

By mid-July, Region 6 expects to propose approval of updated delegation of Part 61 and Part 63 NESHAP standards adopted by the Oklahoma Department of Environmental Quality between September 2016 and June 2019. The approval would update the existing delegation of the NESHAP standards. ODEQ formally requested that EPA approve its updated delegation through submittals dated December 23, 2019, and March 23, 2021.

Grambling State University, Louisiana

Region 6 expects to sign a Memorandum of Understanding with Grambling State University in Louisiana and HQ Office of Enforcement and Compliance Assurance to formalize a partnership and enhance collaboration between EPA and GSU. Under the MOU, EPA and GSU intend to work collectively to progress efforts focusing on preparing students to enter and compete in the federal workforce, providing expertise to review and enhance curriculums, and participating on research efforts to promote environmental awareness.

July 14	Regional Tribal Operations Committee
July 22	Environmental Justice Stakeholders Quarterly Call